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L. J. LYON, Propr.

HARTFORD, KY.

I have recently rented the above House, and have furnished it in elegant style, and commercial men will find it to their advantage to stop with me, as it is.

Hartford House

is situated in the business portion of town.

Nice rooms can be furnished in which to display their samples.

My table will at all times be provided with the best eating the market affords, and every attention will be paid to those who may please to give me their patronage.

A Good Feed Stable

is connected with the House, and stock can be well provided for.

Respectfully,
L. J. LYON.

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Fashionable Tailor,

HARTFORD, KY.

Coats, Pants and Vests cut, made and repaired in the latest style at the lowest prices.

not 15

THE HARTFORD HERALD.

"I COME, THE HERALD OF A NOISY WORLD, THE NEWS OF ALL NATIONS LUMBERING AT MY BACK."

VOL. 2.

HARTFORD, OHIO COUNTY, KY., OCTOBER 18, 1876.

NO. 41.

HARTFORD HERALD,

PUBLISHED WEEKLY BY

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1. Subscribers who do not give express notice to the contrary, are considered wishing to continue their subscription.

2. If subscribers order the discontinuance of their periodicals, the publisher may continue to send them till all arrears are paid.

3. If subscribers neglect or refuse to take their periodicals from the office to which they are directed, they are held responsible until they have settled their bills, and ordered them discontinued.

4. If subscribers move in other places without informing the publisher, and the papers are sent to the former direction, they are held responsible.

5. Any person who receives a newspaper and makes use of it, whether he has ordered it or not, is held in law to be a subscriber.

6. If subscribers pay in advance, they are bound to give notice to the publisher, at the end of their time, if they do not wish to continue taking it; otherwise the publisher is authorized to send it on, and the subscriber will be responsible until express notice with payment of all arrears is sent to the publisher.

LOUISVILLE CORRESPONDENCE.

FALL STYLES—RICH FABRICS—

—DRESS TRIMMINGS—NEW

COLORS—STYLISH HATS,

GOSSIP, ETC., ETC.

Editors Herald.

We cannot complain of a backward season, for already is the air biting cold. Jack Frost is nipping late flowers, chills and fevers visiting many houses and thereby delighting the doctors, while fires are a necessity. Of course this early snap comes like a balm to the troubled hearts of the merchants, for something new must be had whether money is scarce or plentiful, nobody seems to have any of this indispensable commodity and shoppers are indeed only "shoppers," for they throng the streets, besiege the show windows and spend hours in looking at the new goods on the counters and examining the ready-made suits while they mentally remodel an old dress or make one of two half worn suits' with the aid of the dyer and a bought pattern. One of the difficulties in making over, lies in the fact that three months ago, every style was basque and overskirt, while the latest edict of Fashion demands the adoption of the graceful polonaise, long and full draped, which requires a new piece the full length of the garment; even in this there is economy, for a half yard less is required to make it than in the old fashioned way. For tall ladies perhaps the basque and overskirt are more becoming, but to short dumpy figures, the polonaise lends a graceful, slender effect, which those afflicted with too much flesh will gladly appreciate.

In fabrics this season, we have the richest silks in heavy brocades, in costly reps and royal velvets; then the more possibly obtainable cashmeres soft and clinging, how beautiful they are and how handsomely they drape. Elegant suits trimmed in silk can be made for thirty dollars; they are suitable for all occasions and will bear any amount of hard wear; in low-priced goods are the beiges, alpaca, mohairs and mixed damask fabrics. But all wool materials seem in universal favor; rich people can always afford to buy them and those less favored are learning that there is no economy in cheap articles. For very costly suits a favorite combination is of cloth and velvet, lower skirt of velvet, with polonaise of cloth, ornamented with cuffs, collar and pocket of velvet; the most elegant costume continues to be of black velvet or silk and velvet combined.

In trimmings there is little change from Spring mode; buttons and fringes are more profusely used than ever. Two sizes of buttons are often put on the same dress as many as two gross being required to ornament a single suit; but after all 'twas a cheap trimming for they are to be bought as low as one dollar and twenty-five cents per gross.

The new colors of the Fall are positively ravishing, they are too exquisite for names, they eclipse nature, they make us gaze in wonder, at art. The very extremes are evidently intended and the palest tints prevail in gloves, ties, ribbons, &c., while the very blackness of darkness permeates all dress materials for street wear; yes and for house service too, for in the calicoes and percales only the deepest

shades appear in artistic designs apparently intended for stage costumes rather than for ordinary every day use. Among the new shades are several navy blues and indeed this color seems more popular than ever, though a year ago we thought it had had its run; seal brown seems still a favorite, slate and smoke are being preferred by many, though they are becoming to so few complexions; but the most eagerly sought are the various "greens" displayed; myrtle, bottle and invisible are the names; blondes and brunettes wear them with equal becomingness, though possibly the latter a little more successfully. Cashmeres in all these shades, trimmed in silk and multitudinous buttons are in great demand; though do not understand that Louisville ladies dress in uniform at all; there is infinite variety in their toilettes, greater perhaps than in any other city of the Land. Thirteen yards will make a full dress, twelve and a half when polonaise is preferred, three yards of silk trims the suit profusely, the cashmere is sold at eighty-five cents to one dollar per yard, the silk at one dollar and fifty cents.

In chapeaux we have such a variety that it is quite a bewildering task to attempt details. The sugar loaf is the most generally preferred shape. Untrimmed they have a very masculine or rather dashing air, but when covered, (as all of them must be) with feathers, they have a more sensible and bonnet look and are really more comfortable than any thing brought out for a long time. The materials are chip, braid, felt and the standard velvet. For young ladies no face trimming is used, and the hat may be worn low over the brow, or straight on top of the head, or back like the beautiful "Hats" of last Winter. For elderly ladies, a face of flowers, loops and bows is added and the hat worn as a bonnet. Feathers of every kind known to science are used in ornamentation; not only wings and long cock plumes, (the latter more popular than all others) but whole breasts and even entire birds are jauntily placed on many hats. A very stylish pattern is the "Baretta" made entirely of feathers, sometimes of a solid color, but oftener of mixed plumage.

Bonnets to complete the costume have a soft crown with band of feathers round the narrow brim, while the underside of the brim may be lined with a bright color.

While the hat itself is of a dark color, very gay trimmings and ribbons are required in decoration. Of these the cardinal red is the favorite. One of the prettiest and most stylish toilettes consists of cashmere suit of some grave neutral tint, or the new green or blue, pearl, or tea colored long gloves, hat to match the dress, with a bright wing or knot of ribbon, and neck-tie of same color. This is no more expensive than a less studied costume and certainly displays better taste than one gotten up without regard to harmony.

There is many a morrow of slander going around since the return of pleasure seekers and summer absentees and promises of coming weddings are given. The engagement of Miss Laura B—, to the Chicago banker is said to have been broken, why? oh we dare not tell that. Society will be disappointed of at least one sensation this winter for the "Bs" always give sumptuous feasts on such occasions. The debut of Miss Nannie C—will be welcomed, she has already many admirers, yet undeclared. The marriage of Miss Mary R—, to Mr. — of New York, will take place on the 17th; ceremony at the church, reception at the Galt House. This is looked forward to as the inauguration of a lively wedding season, and perhaps many maidens long on the list will give place to more youthful sisters eager for the delights of bellehood, "catches" too and eligible bachelors will doubtless be gobbled and managing mammas be on the lookout for new victims.

H. J. H.

Louisville, Ky., Oct. 6th, 1876.

A young man wants to know why,

when he walks out in the country with his girl, all the flies and other insect circle around his head and annoy him, and completely ignore the presence of the young lady.—The insects certainly show very bad taste. It seems they prefer beer and whiskey to honey and sugar.

Why is a newly-born baby like a

heavy gale of wind? Because it begins with a squall.

Deviless Criminal Court.

COMMONWEALTH, } OPINION.
vs. }
SALMON & SHARP.

Spirituous liquors cannot be sold in this State without a license to sell, issued from authority rendered competent by law so to do. The law defines the keeper of a tippling house to be any person who, not having a license from competent authority, shall sell spirituous liquors or wine in any quantity to be drunk in any house or on premises adjacent thereto.

It is obvious that the Defendants, if they so sold, are guilty of the offense described by statute and averred in the indictment, which unless they had a license therefor, which authorized them to sell liquors.

Ordinance 34 of the city of Owensboro denounces penalties against persons who shall sell spirituous liquors without a license from the mayor and council of said city, and there can be no doubt that the ordinance can be enforced and that the authorities of the city can punish offenders against the ordinance. While this is the case, and the authority to enact and enforce the by-laws conferred upon the city by legislative act, yet it cannot by reason thereof be denied that the State has authority to punish for a violation of her statutes within the local jurisdiction of the city, nor can it be claimed that a defendant punished by both jurisdictions is twice put in jeopardy. Conferring a power upon a corporation to pass by-laws and impose penalties, does not necessarily supersede the State laws upon the same subject.

"The same act may constitute an offense both against the State and the municipal corporation, and both may punish it without any violation of any constitutional principle." (Cooley's constitutional limitations chapter 8, page 199.) This doctrine is so well suited that it is only necessary to mention it. The jurisdiction of the State to punish offenses against its laws within the local limits of the city cannot be taken away by any by-laws or proceeding under it.

Under the old law, it was required that the keeper of a coffee house, in order to be exempt from liability to law, to have a license from both the State and the municipal corporation. Under any fair construction of the Revised Statutes, the authority conferred through the County Clerk was properly a license, and it has been held that a party selling spirituous liquors to be drunk on the premises was exempt from the penalties denounced against tippling houses when he had obtained a license under the general law of the State, but was amenable to the local law for a failure to obtain a license from the town authorities. (Freeman vs Commonwealth 8 Bush 139.)

The law now seems to be, that the County Clerk has no authority to grant licenses to keep a Coffee house, (General Statute sec. 9 page 713) and it seems to be implied in the General Statutes that towns and cities may do so; but while they are permitted so to do, it can only be when they have authority conferred upon them by their charters. The reason for this is because, it has been deemed advisable for the best interests of society, that the local authority alone should determine the propriety of permitting the establishments to exist and what persons may be allowed to keep them. And it is now the law, that no person shall retail liquors in any town or city, unless the local authorities in their discretion shall authorize it.

It is also provided that any license granted by them is void and shall be no protection to the vendor of spirituous liquors unless he shall first pay the State tax as required by law. It is therefore clear, that any person, who shall keep a coffee house and sell liquors therein who has not paid the State her revenue and obtained a license from the municipal authorities, is, under the law, deemed the keeper of a tippling house and liable to the penalties prescribed by law against the same.

The law likewise provides that the privilege to sell spirituous liquors shall not be implied or embraced in a license to keep a coffee house, unless the town trustees or city council, who alone can grant a coffee house license under any circumstances, shall deem it expedient to grant this privilege shall be specified in such license.

The court of appeals have in a recent decision (Moore vs Common-

wealth m.s.s. opinion) declared that the law requires, as above set forth, and that unless the license to keep a coffee house expresses this privilege, it is no protection to defendants who are charged with the offense of keeping a tippling house.

The question presented for consideration here is, whether the license to keep a coffee house shown by defendants, comes up to the requirements of the law.

If the license first issued by direction of the city council to the defendants did not specify the privilege to sell spirituous liquors, it was technically insufficient; and whether the mayor might lawfully insert the privilege subsequently, or might substitute another paper containing the privilege, it is not necessary here to determine. The vital question is: Did the council in granting license to defendants to keep a coffee house, deem it expedient, to confer the privilege of selling spirituous liquors? And did they specify the privilege in the grant?

The record of the council simply says, that defendants are granted a license to keep a coffee house, on complying with the law, and the said records show nowhere that the council deemed it expedient that the defendants might sell spirituous liquors. Nor do the records anywhere specify that defendants might sell spirituous liquors. The license or paper called a license, does not so specify the privilege nor intimate anywhere, that the privilege was granted to defendants. We find it neither in the records, nor in the paper called a license issued to defendants. If it is not in the records through which and by which alone the council can be heard and can speak, it is immaterial whether the privilege was expressed in or omitted from the license. The issuing of the so-called license is simply a ministerial act, compellable by mandamus, while the granting of the license by the council is an act requiring under the law, an exercise of prudential discretion. The right to keep a coffee house with the privilege of selling ardent spirits, is based upon the act of the city council and not upon a paper which only certifies the fact.

It is urged by the learned council for defendants that the price prescribed in ordinance No. 40, as amended is conclusive that the privilege was granted by the council. There is nothing in the records to show, nor in the oral proof, that defendants paid that sum, and even were this the case, we would find ourselves in the domain of implication, which is expressly forbidden both by statute and authority. There being nothing in the records of the council showing that the council deemed it expedient to confer the privilege to sell spirituous liquors, this privilege can only be implied or inferred.

I cannot construe the 24th section of the city charter as insisted on by the council. The "exclusive control" there conferred, cannot by any fair interpretation, be made to mean more than that the Mayor and council should have exclusive control of the granting of license—should independent of the State authorities determine to whom licenses should be granted and all other questions connected therewith.

This charter was enacted day of 18 while the Revised Statutes were in force and while persons might keep coffee houses under State authority or rather be protected by the same, and this provision of the charter was doubtless intended to remit the regulation of licenses to the city authorities and divert the seller of this protection, the State only requiring that her revenue should be paid. I can discover nothing in the charter in conflict with the general laws upon these subjects.

Nor can I admit that the case in 2 Ben Monroe is applicable, or inconsistent with the views here expressed. The court held in that case, that the State abdicated entirely, in favor of the town of Hopkinsville and entirely surrendered her right to require revenue or to license, and that as the defendants had fully complied with all law applicable to the locality, he had full authority to sell spirituous liquors. In short, that his license was complete and according to law, which cannot be said of the license in this case.

There is nothing more truly insinuating and differential than the waggle of a little dog's tail in the presence of a big dog with a bone.

What is that which is lengthened by being cut at both ends? A ditch.

A FEARFUL PICTURE.

Description of His Struggles Against the Demon of Drink by the Late J. J. Tatbot.

Extract from one of his own Lectures.

But now the struggle is over, I can survey the field and measure the loss. I had position, high and holy. The demon tore from around me the robes of my sacred office, and sent me forth, churchless and Godless—a very hissing and by-word among men. Afterward I had business, large and lucrative, and my voice in all large courts was heard pleading for justice, mercy and right. But the dust gathered on my unopened books, and my footfall crossed the threshold of a drunkard's office. I had money ample for all necessities, but they took wings and went to feed the coffers of the devils which possessed me. I had a home adorned with all that wealth and the most exquisite taste could suggest. This devil crossed its threshold and the light faded from its chambers; the fire went out on the holiest of altars, and leading me through its portals, despair walked forth with her, and sorrow and anguish lingered within. I had children, beautiful, to me at least, as a dream of the morning, and they had so entwined themselves around their father's heart that no matter where it might wander, over it came back to them on the bright wings of a father's undying love. His destroyer took their hands in his and led them away. I had a wife whose charms of mind and person were such that to see her was to remember, and to know her was to love.

For thirteen years we walked the rugged path of life together, rejoicing in its sunshine, and sorrowing in its shade. This infernal monster couldn't spare me even this. I had a mother, who for long, long years had not left her chair, a victim suffering and diseased, and her choicest delight was in the reflection that the lesson which she had taught at her knee and taken root in the heart of her youngest son, and that he was useful to his fellows, and an honor to her who bore him. But the thunderbolt reached even there, and there it did its most cruel work. Other days may cure all but this. Ah! me; never a word of reproach from her lips; only a tender caress; only a shadow of a great and unspoken grief gathering over the dear old face; only a trembling hand laid more lovingly on my head; only a closer clinging to the cross; only a more piteous appeal to heaven if her cup were not at last full. And while her boy reeled in his wild delirium two thousand miles away, the pitying angels pushed the golden gates ajar, and the mother of the drunkard entered into rest.

And thus I stand, a clergyman without a cure; a barrister without a brief or business; a father without a child; a husband without a wife; a son without a parent; a man without scarcely a friend; a soul without a hope—all swallowed up in the maelstrom of drink.

Why the Japanese Shave the Head.

Mr. Griffin, in his admirable work "The Mikado's Empire," gives many interesting incidents in the history of the Japanese. Many of the medieval military customs were very interesting. During this period the habit originated of the men shaving the hair off their temples and from the middle of the scalp, and binding the long cue into a top-knot, which was turned forward and laid on the scalp. The object of this was to keep the hair out of the eyes during battle, and also to mark the wearer as a warrior. Gradually it became a universal custom, extending to all classes.

When, in 1873, the reformers persuaded the people to cut off their knots and let their hair grow, the latter refused to "imitate the foreigners," and supposed they were true conservatives, when, in reality, the ancient Japanese knew nothing of shaven faces and scalp, or of top-knots. The ancient warriors wore mustaches, and even beard. The practice of keeping the face scrupulously bare, until recently so universally observed except by botanists and doctors, is comparatively modern.—From October "Home and School."

BURLINGTON Hawkeye:

Now that the cool nights have made the mosquitoes less voracious, and there is no longer the pressing necessity for posting a picket guard around the watermelon patch every night, the agricultural population of the Republic is beginning to catch up a little sleep.

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Ten lines	6.00	7.50	12.00	24.00	36.00	55.00

For shorter time, at proportionate rates. One inch of space constitutes a square.

Art and Nature.

The highest art is not that which deals with dreams and chimeras; it rears its creation upon solid ground. Hence art in its progress has come nearer to the realities of things. The old Egyptians had this idea, but not the skill to carry it out. Their delineations are rude sketches, and yet they represent the life of that peculiar people with wonderful fidelity. The Greeks used living models of strength and beauty; the athlete of the arena gave them a Hercules; the lovely idol of the home was immortalized in stone or on canvas; and bore the name of heavenly goddess—Artemis, Hera, Aphrodite. When art received in Italy the artists sought their images in nature. Giotto drew his own sheep; Leonardo made the face of a sordid beggar that of Judas; an Italian mother clasping her child gave Raphael his finest picture of the Virgin and the infant Jesus.

This is the idea which the great artist, Ruskin, so earnestly insists on—the artist must see nature truly, love nature passionately, and reproduce the pictures which nature already gives in her living landscapes and glowing forms.

Nor less should the artist sympathize with the opinions and sentiments of his fellows. He will fail to please unless he takes what his age gives, and employs himself in beautifying and ennobling the general spirit of his time. The Greek artists at Philæ built a temple according to the general plan of an Egyptian sanctuary, but they so blended Attic grace with its stern and gloomy forms that their work was known among the people of the Nile as the Palace of Beauty. And indeed such an accommodation to prevailing sentiment is not only politic, but even necessary to the truth of nature. For the artist leads a life apart, where he is in danger of being led astray by impracticable theories and vague dreams. The dictates of the common judgment will often chasten his eccentric inspirations. On this account Apelles used to exhibit his pictures at the window of his studio, and there, in hiding, listen to the comments of the passersby; a cobbler would teach him what was wanting in the painted shoe; a rhetorician how a philosopher's gown should hang; a soldier how a spear should be poised and a shield uplifted. Thus the common judgement of men help to bring erratic genius to the nature.—(From Oct. "Home and School.")

Tidiness at Home.

"Oh my fortune is made," says the young wife after the honeymoon is over; "I have no need to be so particular about my appearance now-a-days," "and besides," she adds, if a friend gives her a warning reproval about her slovenliness, "George did not marry me for my clothes." No, of course he did not, but your neat and becoming dress was one of your attractions, and in his imagination he often saw a picture of your smiling face shining hair, calico dress and linen collar, as you would appear in the mornings in the home he would provide for you, which was quite dear to him, and of which he was quite as proud as he was of your evening toilets of silks and ribbons and flowers of during your courtships. And now when you are domiciled in that home of your own, whether it be a cottage or a brown stone front, don't disappoint your husband by appearing in a soiled dress, crumpled collar and cuffs which you think will do for mornings, and with your head bristling with crimped old hair pins, and twists of paper. The metamorphose is too great a trial to any man's affections,